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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Sanford

Application No.: 09/698,553

Filed: 10/27/2000

Title: CASHLESS GAMING SYSTEM

Attorney Docket No.: 0203SS-50083

Assistant Commissioner for Patents
Washington, D.C. 20231

Group Art Unit:
2876

Examiner:
Daniel St. Cyr

RESPONSE UNDER 37 CFR 1.111

Dear Sir:

In response to the Office Action of October 30, 2002, made Final, please amend this application as follows:

In the claims:

Please amend the claims as per the attached amended claim sheets.

PETITION FOR WITHDRAWAL OF PREMATURE FINALITY
OF ACTION MAILED 10/30/02

Applicant respectfully submits that the "finality" of the Action mailed 10/30/02 is premature, and hereby petitions that the finality be withdrawn.

Attached for convenient reference please find:

(A) The examiner's initial 3/14/02 rejection of claims 1-8 as anticipated by Crevelt.

(B) Applicant's 8/14/02 Response pointing out that because the limitations in the claims had not been located in the reference by the Action, applicant was unable to respond, and requesting clarification.

(C) Recitation, for the first time in the "final" 10/30/02 Action, of the column and line where the Examiner asserts that the limitations of the claims can be located in Crevelt.

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DETAILED ACTION

Specification

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: Gaming Machine With Means For Requesting Funds. De

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Crevelt et al, US Patent No. 5,902,983.

Crevelt et al disclose a preset amount electronic funds transfer system for gaming machine comprising: a gaming machine interface 10 bidirectionally couples to the game controller 6, it communicates with the game controller via a defined handshake protocol. The interface 10 is also bidirectionally coupled to an EFT system 11 through a local area network (LAN) and/or a wide area network (WAN). It contains the hardware and software and/or firmware necessary to allow processing of information from both game controller 6 and EFT system 11. The gaming machine interface 10 is specially programmed to communicate with such game controller and EFT system such that it can send electronic or optical signals requesting a funds transfer from a remote institution, and it can also receive signals authorizing such transfers

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to obtain plays on the gaming machine. Interface 10 can also receive and process information provided by game controller 6 regarding the progress of a game including any payouts to gaming machine interface 10. For example, if a player wished to play a quarter slot machine, he or she would receive \$20 in quarters from a casino attendant in return for \$20 in bills from the EFT (see figures 1-3; col. 5, line 17+).

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Lucero, US patent No. 5,038,022, discloses an apparatus and method for providing credit for operating a gaming machine. Lucero, US patent No. 5,457,306, discloses a gaming machine system operable with general purpose charge.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel St.Cyr whose telephone number is 703-305-2656. The examiner can normally be reached on Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G Lee can be reached on 703-305-3503. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-7721 for regular communications and 703-308-7724 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

Daniel St.Cyr
Examiner
Art Unit 2876



Top of Page 2 – First Paragraph
Response to Office Action mailed 3/14/02

First, applicant respectfully submits that a prima facie case of anticipation has not been established. Each element in the claims has not been pointed out as to where it is allegedly found in Crevelt. To illustrate with a few perplexing instances, it is not clear what the Examiner is asserting comprises an “active layer” in Crevelt; what the Examiner is asserting comprises an intermediate “host processor” in Crevelt; or where the examiner finds “profiling” in Crevelt. The Examiner identifies entities in Crevelt but does not state how or where those entities are asserted to correspond to elements in the applicant’s claims. Applicant, thus, is unable to respond further, since the basis for the rejection cannot be determined. Applicant cannot determine where “issues” exist that need to be resolved.



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DETAILED ACTION

1. Receipt is acknowledged of the amendment filed 8/14/02 in which claims 1-8 were amended and claims 9-30 were added.

Claim Objections

2. Claims 8 and 26 are objected to because of the following informalities: lines and "ATM-type" should be changed to --ATM--. Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Crevelt et al, US patent No. 5,902,983, in view of Von Kohorn, US Patent No. 5,916,024.

Crevelt et al disclose a preset amount electronic funds transfer system for gaming machines comprising: associating a point of sale device (card reader having slot therein) with the entertainment device 28, 30, 32; placing the entertainment machine and the POS in communication with an active layer 54; placing the active layer in communication to a host processor 56; placing the host processor a financial institution (see col. 7, line 65 to col. 8, line 6); requesting electronic funds via the point of sale device (see col. 9, line 20-23); forwarding the request to the active layer (see col. 8, lines 42-61); profiling the request for either approving or disapproving the request (see col. 6, line 33+); and providing electronic funds to the user if the request is approved. Regarding how the fund is collected the approval of the fund falls within the

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engineering design choice failing to provide any unexpected results, which there, obvious. (see figures 1 and 2; col. 9, line 1+).

Crevelt et al disclose that an attendant could set to adjust the preset limit in response to some preset condition. but fail to disclose or fairly suggest that the request is profiling by the active layer.

Von Kohorn disclose a system and method of playing games and rewarding successful players comprising: a data facility 904 to communicate to central telephone facility 702 to set different credit limits so that a data storage device 940 is provided with credit limit data so that any wager exceeding the credit limit is rejected by the data facility 904 (see col. 97, line 55+).

In view of Von Kohorn's teachings, it would have been obvious for a person of ordinary skill in the art at the time the invention was made to include well known credit limit information into the users' preset conditions of the system of Crevelt et al as a means for regulating users' gambling habit. Such modification would make the system more controllable, more attractive to the general public, and more practical by allowing the customers to set up their credit limit so that the active layer could automatically prevent the users from exceeding their budget plan. Therefore, it would have been an obvious extension as taught by Crevelt et al.

Response to Arguments

5. Applicant's arguments with respect to claims 1-8 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

TOP 20 WINNERS- '

(In alphabetical order, not according to how they ranked with the judges)

ACRES GAMING

- **Mobile Data Access** – delivers slot floor statistics and player data via the Internet to wireless handheld devices or desktop computers
- **NexGen** – interactive multimedia display platform that allows for delivery of bonusing, cashless transactions and automated rewards and promotions.

ARISTOCRAT TECHNOLOGIES

- **Mr. Cashman** – progressive slot bonus system
- **Mark IV** – Slot platform

ATRONIC

- **e-motion** – slot machine cabinet
- **Sphinx Magic** – slot machine
- **Atlantica** – slot machine

BALLY GAMING & SYSTEMS

- **Cash For Life** – progressive slot machine series
- **MindPlay** – table game accounting/security/tracking system
- **e-Ticket** – cashless wagering system

GLOBAL CASH ACCESS

- **QuikPlay ATM** – on site cash access device

INTERNATIONAL GAME TECHNOLOGY

- **Wheel of Fortune Special Edition** – slot machine
- **Othello** – slot machine
- **SAS 6.0 with AFT** – slot accounting system
- **Local Progressive Controller** – jackpot managing system
- **Multi-Strike Poker** – video poker machine

MIKOHN GAMNG

- **Surprise Jackpots** – slot machine/progressive/bonus

SIERRA DESIGN GROUP

- **Diamonds 2 Prize Saver** – progressive slot machine

WMS GAMING

- **Bluebird** – slot machine platform
- **3RV** – slot machine